



PATENT APPLICATION
Attorney Docket No.: 0136.0003C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the PATENT application of

Jeffrey H. Diamond

Serial No.: 09/920,750

Filed: August 3, 2001

For: Stabilized Window Structures and Methods for Stabilizing
and Removing Shattered Window Panes

Adjustment date: 01/07/2002 AKELLEY
10/19/2001 RHARIS1 00000053 09920750
01 FC:122

-130.00 DP **PETITION UNDER 37 C.F.R. §1.53(e)**

ATTN: OFFICE OF PETITIONS

Assistant Commissioner for Patents
Washington, D.C. 20231

Reason Ref: 01/07/2002 AKELLEY 0008063900
DO# 050460 Date/Number: 09920750
FC: 704 Sir: \$130.00 CR

Applicant hereby petitions for review of the Notice of Incomplete Nonprovisional Application mailed September 7, 2001 in connection with the subject patent application. A copy of this Notice is returned herewith. Pursuant to the Notice of Incomplete Nonprovisional Application, a filing date was not accorded to the subject patent application on the grounds that the application was deposited without drawings. Failure to accord the subject application a filing date is submitted to be improper as explained below.

The subject application was filed by hand-delivery to the Office of Initial Patent Examination (OIPE) on August 3, 2001, as verified by the enclosed copies of a transmittal letter and a return receipt postcard bearing the date stamp of the U.S.

Patent and Trademark Office. Both the transmittal letter and the return receipt postcard

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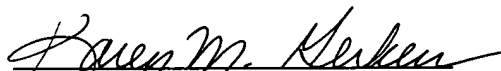
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itemized the components of the subject application as filed, including five sheets of formal drawings, copies of which are submitted herewith. As set forth in the Manual of Patent Examining Procedure (MPEP), Section 503, a postcard receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the U.S.P.T.O. of all the items listed thereon on the date stamped thereon by the U.S.P.T.O. Accordingly, Applicant's date stamped return receipt postcard serves as *prima facie* evidence that the subject application was filed on August 3, 2001 with five sheets of formal drawings and is therefore a complete application entitled to a filing date of August 3, 2001.

A check for \$130.00 is submitted herewith in payment of the Petition fee required by 37 C.F.R. §1.17(h). Since the subject application was not defective as filed, a refund of the Petition fee is requested pursuant to MPEP §506.02. Please credit this refund to Deposit Account No. 05-0460.

Respectfully submitted,


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Hand-delivered: 10/18/2001

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